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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,082	08/03/2001	Stephen Gold	30990147-2	8726

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

ISMAIL, SHAWKI SAIF

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 03/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/922,082

Applicant(s)

GOLD, STEPHEN5

Examiner

Shawki S Ismail

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-16 and 24-31 is/are pending in the application.
- 4a) Of the above claim(s) 1-13 and 17-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-16 and 24-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to the amendment received on November 16, 2004. Claims 1-13 and 17-23 have been cancelled. Claims 14 and 15 have been amended. Claims 24-31 have been newly added. Claims 14-16, and 24-31 are pending examination.

Information Disclosure Statement

2. References in applicant's IDS form 1449 have been considered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 14-16, 24-27 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Cabrera et al.**, (Cabrera) U.S. Patent No. **5,953,729** and in view of **Cullen et al.**, (Cullen) U.S. Patent No. **6,592,629** and further in view of **Nakata et al.**, (Nakata) U.S. Patent No. **5,870,756**.

5. As to claim 14, Cabrera teaches a device for sending data to and receiving data from a remote data storage location accessible over a communications link, said device comprising:

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a data processor (see Fig. 1, col. 5, lines 21-26);

a first communications port for communicating with a plurality of computers in a computer network (see Fig. 1, col. 6, lines 9-22);

a second communications port for communicating with a remote data storage facility (see Fig. 1, col. 6, lines 9-22);

a non-volatile data storage device for storing locally, data to be communicated via said second communications port (see Fig. 1, col. 5, lines 31-34);

wherein said device emulates a file system corresponding to a file system of a network of computer entities (see Fig. 2, col. 6, lines 58-67);

Cabrera does not explicitly teach converting data between a file system dependent format and a file system independent format. However, Nakata teaches a method of writing/reading data files to/from a storage medium, and to a computer system in which the storage medium is used as a data input/output medium. A data file is recorded on the storage medium in a data format that is not dependent on the operating system, and a processing program (data driver) for making this data file utilizable by a computer system is stored in conformity with each operating system (see abstract, col.4, lines 33-50).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Nakata into the invention of Cabrera in order to give the user flexibility. The user is not dependent or restricted to a particular application or software in order open a file. The fact that

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users can employ a spectrum of software or applications gives them added flexibility.

Cabrera does not explicitly teach converting said data between a compressed format and an uncompressed format. However, Cullen teaches a remote storage and retrieval facility for archiving electronic documents. Compression/decompression module 252 compresses data before the data is transmitted to a remote storage facility (see Fig. 2, col. 5, lines 16-36).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Cullen into the invention of Cabrera in order to make the system more efficient. Compression and decompression module 252 compresses/decompresses data before and after the data is transmitted to and from the remote storage facility (see Fig. 2, col. 5, lines 16-36).

6. As to claim 15, cabrera teaches the device as claimed in claim 14, wherein said emulating a file system operates to create emulation data which emulates a file system type of a network of computer entities, in a format suitable for incorporating with a user data file for transmission to a remote data storage device (col. 7, lines 3-20, col. 8, lines 50-66).

7. As to claim 16, Cabrera teaches the device as claimed in claim 14, configured to make a scheduled transmission burst of changes to files since at least transmission burst, wherein only blocks inside files which have changed since the last transmission are transmitted in said scheduled transmission (col. 1, lines 32-42, col. 2, lines 36-41).

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8. As to claim 24 Cabrera teaches the device as claimed in claim 15, wherein said emulation data comprises data describing security attributes of said user data (col. 8, line 50 – col. 9, line 3).

9. As to claim 25, Cabrera teaches the device as claimed in claim 15, wherein transmitting said transmission file comprises transmitting a plurality of modified portions of user files which have changed since a last transmission event (Fig. 6, col. 12, lines 41-49).

10. As to claim 26, Cabrera teaches the device as claimed in claim 15, wherein transmitting occurs at predetermined intervals, and writing said user data comprises caching said user data in said local data storage device between file transmission events (col. 7, lines 3-20).

11. As to claim 27, Cabrera teaches the device as claimed in claim 15, wherein said user data is cached in a file at said local data storage area in a file system independent format (col. 7, lines 3-20); and

periodically, a portion of said file which is changed compared to a previously transmitted version of said file is transmitted over said communications link for remote data storage (Fig. 6, col. 12, lines 41-49, col. 12, lines 62-66, col. 1, lines 32-42).

12. As to claim 30, Cabrera teaches the device as claimed in claim 15, further comprises the steps of:

maintaining said data file for transmission in said computer entity in which said user data is written to a local data storage area (col. 7, lines 3-20);

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receiving an incremental change to said user data file (Fig. 6, col. 12, lines 41-49);

modifying said user data file by incorporation of said incremental change prior to transmitting said transmission file over said communications local for remote data storage (col. 1, lines 32-42, col. 2, lines 39-41).

13. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Cabrera et al.**, (Cabrera) U.S. Patent No. **5,953,729** and in view of **Cullen et al.**, (Cullen) U.S. Patent No. **6,592,629**.

14. As to claim 29, Cabrera teaches the device as claimed in claim 15 as discussed above. Cabrera does not explicitly teach wherein prior to transmitting said transmission file over said communications link, compressing and encrypting said transmission file. However, Cullen teaches a remote storage and retrieval facility for archiving electronic documents. Compression and decompression module 252 compresses/decompresses data before and after the data is transmitted to and from the remote storage facility (see Fig. 2, col. 5, lines 16-36). Encryption and decryption module 253 and 254 respectively, encrypt and decrypt data before and after the data is transmitted to and from the remote storage facility (see Fig. 2, col. 5, lines 38-57).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Cullen into the invention of Cabrera in order to make the system more secure and efficient. Compression and decompression techniques are utilized in order to reduce overall storage space thereby making the system more efficient. Encryption and decryption

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techniques may be included in order to secure documents from and to remote storage facility so that they are accessible to selective individuals of users.

15. Clams 28 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Cabrera et al.**, (Cabrera) U.S Patent No. **5,953,729** and in view of **Nakata et al.**, (Nakata) U.S. Patent No. **5,870,756**.

16. As to claim 31 Cabrera teaches the device as claimed in claim 15 as discussed above. Cabrera does not explicitly teach receiving from the remote data storage device compressed encrypted package; decompressing and decrypting the received package.

However, Cullen teaches a remote storage and retrieval facility for archiving electronic documents. Compression and decompression module 252 compresses/decompresses data before and after the data is transmitted to and from the remote storage facility (see Fig. 2, col. 5, lines 16-36). Encryption and decryption module 253 and 254 respectively, encrypt and decrypt data before and after the data is transmitted to and from the remote storage facility (see Fig. 2, col. 5, lines 38-57).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Cullen into the invention of Cabrera in order to make the system more secure and efficient. Compression and decompression techniques are utilized in order to reduce overall storage space thereby making the system more efficient (see Fig. 2, col. 5, lines 16-36). Encryption and decryption techniques may be included in order to secure

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documents from and to remote storage facility so that they are accessible to selective individuals of users (see Fig. 2, col. 5, lines 38-57).

17. As to claim 28, it contains similar limitations as in claims 31 above; therefore, it is rejected under the same rationale.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail
Patent Examiner
March 10, 2004




HOSAIN ALAM
SUPERVISORY PATENT EXAMINER